

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

JENNIE DINGESS,

Plaintiff,

**Case No: 3:22-cv-313
Jury Demand**

vs.

KROGER LIMITED PARTNERSHIP I,

Defendant.

**JOINT MOTION FOR AGREED ORDER FOR THE RELEASE AND PROTECTION
OF MEDICAL AND EMPLOYMENT RECORDS**

Come now the Plaintiff, through undersigned counsel, and the Defendant, Kroger Limited Partnership I (hereinafter referred to as “the Defendant” or “Kroger”), through undersigned counsel, and hereby jointly move this Honorable Court for an Order allowing the Defendant access to all employment records, income tax returns, medical records, medical reports, medical charts, x-ray films, tissue slides or other laboratory specimens, diagnostic studies, pharmacy/prescription records, mental health records (including an and all psychiatrists, psychologists, social workers and any other mental health professional of any kind or nature), other documents or writings, including but not limited to, protected health information, as the term is defined in 45 C.F.R. Part 160 and Part 164 (HIPAA Privacy Rule) and/or Tenn. Code Ann. § 33-3-103 (collectively, the “Medical Information”), related to the care and treatment of Plaintiff, Jennie Dingess. As evidenced by signatures on this document, and the proposed Order submitted as an attachment hereto, these parties are in agreement that the Defendant will be allowed access to employment records, income tax returns, and the Medical Information as set out in the Order.

For cause, these parties would state that discovery is continuing in this matter, and the failure to make the disclosure would be detrimental to a party to these proceedings. Defendant has expressed a need to review said records, and that the Plaintiff, Jennie Dingess, has agreed to allow access to the records in accordance with the parameters set out in the Order. Any records obtained with the Order will be provided to counsel for Plaintiff within ten (10) days of receipt of any information obtained.

WHEREFORE, these parties jointly move for entry of the Order attached to this Motion.

Respectfully submitted, this 24th day of May, 2023.

/s/ Andrew N. Firkins
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CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2023 the Clerk of Court was requested to file a copy of the foregoing pleading. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ Andrew N. Firkins
ANDREW N. FIRKINS (BPR #033982)